


1. Commander (CGPC) does not expect a sufficient number of vacancies at captain to permit promoting those RPAs on the selection list for that grade as of the dates their running mates are promoted as described in  Article 5.A.6.a., or
2. The needs of the Service otherwise require it.

14.A.20.b. Board Composition

A board convened to consider RPA captains for continuation on active duty consists of five or more officers who serve as captain or above who previously have been continued. Three members shall be RPAs, but if a sufficient number of RPAs is not available to satisfy this requirement, Commander (CGPC) may reduce the number of RPA members to at least one. If no Reserve officer serving on active duty is senior to all officers considered for continuation, Commander (CGPC-opm) recalls a retired or inactive duty Reserve officer senior to all officers the board will consider to active duty to serve on the board.


14.A.20.c. Convening Notice

Before the continuation board convenes, Commander (CGPC) notifies the Service at large of the convening date, the composition of the continuation zone, and the number of officers the board may recommend for continuation.


14.A.20.d. Continuation Zone

Before convening a continuation board, Commander (CGPC) establishes a continuation zone of RPA captains who will have completed at least three years' service in that grade during the promotion year in which the board meets. The zone consists of the most senior RPA captains on active duty eligible but not previously considered for continuation.

14.A.20.e. Communicating with the Continuation Board

Officers in the continuation zone may communicate to the President of the continuation board.  Article 5.A.4.e. applies.

14.A.20.f. Continuation Board Members' Oath

Continuation board members shall comply with  Article 14.A.10.d.

14.A.20.g. Information Furnished to Continuation Boards


Commander (CGPC) furnishes this information to the continuation board:

1. The names and records of all officers eligible for consideration in the established zone.
2. The number of officers the board may recommend for continuation on active duty. This number shall be fewer than 100 percent, but not fewer than 50 percent of the number considered.

14.A.20.h. Selection

The board shall select from the designated continuation zone those officers who in its opinion are best-qualified to continue on active duty.

14.A.20.i. Submitting Continuation Boards' Reports

1. The continuation board submits a report as outlined in  Article 14.A.6.c. to the Commandant, through Commander (CGPC). If the board has acted contrary to law or regulation, the Commandant returns the report for revision and resubmission.
2. On the Commandant's approval, Commander (CGPC) promptly disseminates the names of the officers the board selected for continuation on active duty to the Service at large.
3. Except as this Article requires, no one shall disclose board proceedings to any person not a member of the board.

CONTENTS

14.B. CORRECTION OF MILITARY RECORDS	2
14.B.1. GENERAL INFORMATION	2
14.B.1.a. Personnel Records	2
14.B.1.b. Adverse Personnel Actions	2
14.B.1.c. Intent	2
14.B.2. APPEALS THROUGH THE CHAIN OF COMMAND	2
14.B.2.a. Lowest Level of Appeal	1
14.B.2.b. Purpose	2
14.B.2.c. Selective Reenlistment Bonus	2
14.B.3. PERSONNEL RECORDS REVIEW BOARD	3
14.B.3.a. Policy	3
14.B.3.b. Scope of Review	3
14.B.3.c. Mission of the Board	4
14.B.3.d. Composition and Procedures Of The Board	5
14.B.3.e. Policies and Standards	5
14.B.3.f. Time Restrictions	6
14.B.3.g. Submission Of An Application	6
14.B.3.h. Initial Disposition	7
14.B.3.i. Disposition By The Board	7
14.B.3.j. Final Disposition	8
14.B.4. PRIVACY ACT	8
14.B.5. UCMJ ARTICLE 138	9
14.B.6. COAST GUARD DISCHARGE REVIEW BOARD	9
14.B.6.a. Title 10, United States Code	9
14.B.6.b. 33 Code of Federal Regulations	9
14.B.6.c. Definition of Discharge	9
14.B.6.d. Limitations	9
14.B.7. BOARD FOR CORRECTION OF MILITARY RECORDS	10
14.B.7.a. General	10
14.B.7.b. Purpose	10
14.B.7.c. Application	10

14.B. Correction of Military Records

14.B.1. General Information

14.B.1.a. Personnel Records

The Coast Guard maintains many types of personnel records, such as the Enlistment Contract, CG-3301; Court Memorandum, CG-3304; and Administrative Remarks, CG-3307. Although those who prepare these records strive to ensure that each is accurate, occasional mistakes do occur. Additionally, in some instances, an entry may have been made accurately, but the member disputes the facts or circumstances upon which it is based. This section provides general information about the administrative methods available for seeking correction of Coast Guard personnel records.

14.B.1.b. Adverse Personnel Actions


Certain adverse personnel actions have specific provisions for review or appeal. For example, court-martial convictions are subject to review under the Uniform Code of Military Justice (UCMJ) and the Manual for Courts-Martial (MCM). Appeals of nonjudicial punishment imposed under Article 15, UCMJ are governed by Part V, MCM, and Chapter 1, Coast Guard Military Justice Manual (MJM), COMDTINST M5810.1 (series). Appeals of Enlisted Performance Evaluations are governed by Chapter 10.B. of this Manual. In each instance where a specific review or appeal provision already exists, the member should first pursue that remedy. Not doing so can lead to a denial of relief for "failure to exhaust" an available, effective remedy.

14.B.1.c. Intent

It is not the intent of this section to describe all of the processes which are available for seeking relief from actions of a member's superiors. Only those which normally can be used to obtain correction of personnel records are included.

14.B.2. Appeals Through the Chain of Command

14.B.2.a. Lowest Level of Appeal

Most errors in personnel records are minor ones, such as charging a member with too many days of leave, mistakenly canceling an allotment, etc. Normally, such errors can be corrected by requesting, either orally or in writing, the member's Personnel Reporting Unit (PERSRU) to initiate the needed change. If a member believes a personnel record entry is unfair, an appeal through the member's chain of command usually is the simplest and fastest means for seeking correction or deletion of the entry. The level in the chain of command to which the appeal should be directed is dependent upon all of the circumstances. As an example, for a member who receives an Administrative Remarks, CG-3307 from his or her division chief documenting purported substandard watchstanding, an appeal through the division chief and the executive officer to the commanding officer should suffice. (This appeal may be in the form of a so-called "Request Mast" pursuant to  Article 9-2-3, Coast Guard Regulations, COMDTINST M5000.3 (series).)

14.B.2.b. Purpose

An appeal through the chain of command is recommended because it permits a Coast Guard member to have the allegedly improper entry reviewed by someone senior to the person making the entry, who can order the record corrected when appropriate. This traditional process enhances both military discipline and *esprit de corps*, while simultaneously protecting the member from arbitrary or unfounded adverse personnel record entries.

14.B.2.c. Selective Reenlistment Bonus

1. Any enlisted member or former enlisted member who believes that they were denied, in whole or in part, the payment of an SRB due to an administrative error or oversight, including the failure to counsel the member properly, may submit an application for correction of their record and payment of the erroneously withheld SRB. Applications shall be submitted using DD Form 149. The completed application **must** be submitted directly **to the Board for Correction of Military Records (BCMR)**. The applicant should clearly identify what circumstances caused them to believe that an SRB was withheld erroneously.
2. Upon receipt of a completed application **the BCMR** will review the application and make a determination whether an SRB was withheld erroneously, and, if it was, whether the applicant may now be paid that bonus.


14.B.3. Personnel Records Review Board






14.B.3.a. Policy

The Coast Guard has established the Personnel Records Review Board (PRRB) to provide a more formalized method for members to seek correction of entries in their personnel records. **The Assistant Commandant for Human Resources is responsible for the PRRB and details members to serve on the PRRB. The Personnel Records Review Board (PRRB) recommends appropriate action on applications for correction or relief from error in the records of Coast Guard personnel. This section applies to all personnel involved in this process. Nothing in this policy precludes the correction of records without PRRB review by competent personnel acting within their authority.**

14.B.3.b. Scope of Review

The PRRB is empowered to review all applications for correction of error contained in Coast Guard personnel records, except with respect to the following types of records that are already the subject of separate internal review processes:

1. **Court-Martial Proceedings (see articles 60, 64, 65, 66, 67, 69, and 74, UCMJ).**
2. **Upgrading Discharges (see 33 CFR, part 51).**
3. **Medical Separations and Retirements (see  Physical Disability Evaluation System, COMDTINST 1850.2 (series)).**

4. **Nonjudicial Punishment** (see  **Military Justice Manual, COMDTINST M5810.1 (series), Article 1-E-11).**
5. **Enlisted Marks** (see  **Article 10.B.10.).**
6. **Coast Guard Military Personnel Security Program** (see  **COMDTINST M5520.12 (series)).**
7. **Discrimination Complaints** (see  **Coast Guard Equal Opportunity Program Manual, COMDTINST M5350.4 (series)).**
8. **Administrative Discharge Board Proceedings** (see  **Articles 12.A.8, 9, 11, 15, and 21 and 12.B.31 and 32.).**

Requests under the Privacy Act, 5 U.S.C. Section 552A, to correct personnel records, including those records listed above, may be referred at the discretion of the Director of Personnel Management to the PRRB for its review and recommendations.

14.B.3.c. Mission Of The Board

1. **The PRRB acts initially on applications for correction of error in personnel records within its purview before such applications are submitted to the Board for Correction of Military Records of the Coast Guard (see 10 U.S.C. Section 1552; 33 CFR part 52; Article 14.B.7.).**
2. **The PRRB recommends to the Director of Personnel Management, or the Director of Reserve and Training, action to be taken on applications for correction of error. The foremost duty of the PRRB is to protect both the interests of the Coast Guard and the applicant by ensuring accurate and reliable personnel records. All contested records will be accorded a presumption that they are administratively correct and prepared in accordance with applicable laws and regulations unless the PRRB is persuaded that the presumption has been overcome after considering all the reliable evidence in the record before them. The PRRB may determine what information, other than that provided by the applicant, is needed to properly consider each application. In reviewing applications and making its recommendations, the PRRB is guided by its best professional judgment and experience. The PRRB may recommend corrections other than those specifically requested by the applicant.**
3. **The PRRB will not accept applications from persons who are retired or separated from the Coast Guard.**
3. **The PRRB will not accept any third party applications except in extreme conditions such as death or incompetency.**

14.B.3.d. Composition and Procedures Of The Board

- 1. Under the cognizance of the Director of Personnel Management the PRRB will consist of at least three ad hoc members. The Deputy Director of Personnel Management or a designee will act as president of the board. A representative of the Chief Counsel (G-L) will also be a member in all cases. The third member will be from the Coast Guard Personnel Command, Officer Personnel Management Division (CGPC-opm) if the record of an officer on active duty is involved, the Coast Guard Personnel Command, Enlisted Personnel Management Division (CGPC-epm) if the record of an enlisted member on active duty is involved, or Coast Guard Personnel Command (CGPC-rpm) if an inactive Reserve record is involved. When an inactive reserve member's record is involved, at least one member of the board will be from the reserve component. There will be a fourth member from the Coast Guard Personnel Command, Evaluations Branch (CGPC-opm-3) or Reserve Personnel Management Division, OES Manager (CGPC-rpm-3) if error is alleged in an officer evaluation report (OER). Normally a majority of the members shall be senior to the applicant, but in cases where this is not practicable, the report of the approving authority shall so indicate. The recommendations of the board are to be based on a majority vote; minority views may be submitted. No person may be a member in a case in which he or she has been personally involved.**
- 2. PRRB proceedings are administrative, nonadversarial, and informal. The PRRB is not required to meet as a body to act on an application, is not bound by the formal rules of evidence used in courts-martial or other court proceedings, and may consider any evidence having probative value concerning the application before the board. Neither applicants nor their representatives may appear before the PRRB. However, the PRRB may obtain additional information from the applicant, persons in the chain of command, or any other relevant source in order to ensure a proper and correct result. In keeping with sound judgment, the president of the PRRB may determine the method to be used in reviewing and evaluating applications to ensure expeditious yet proper handling of each case.**

14.B.3.e. Policies and Standards

- 1. Personnel records are presumed to be administratively correct and prepared in an objective manner in accordance with applicable laws and regulations.**
- 2. The burden of proof is upon the applicant. Accordingly, to justify correction of a record, the applicant must produce clear and convincing evidence that overcomes the presumption of regularity with respect to the contested record and establishes that action is warranted to correct a material error.**
- 3. Correction of a procedural irregularity or error does not necessarily entitle an applicant to relief beyond having a corrected record. To be entitled to additional relief, applicants must clearly demonstrate a substantial**

connection or causal relationship between the error that was corrected and the benefit or additional relief requested.

- 4. Assuming each case will be factually unique, the PRRB is not bound by past decisions, but should strive to treat similar cases consistently.**
- 5. Applications must be supported by relevant and reliable evidence. Such evidence should include the sworn statements of relevant witnesses, including the applicant, detailing the information they have and their basis for it. Relevant documents and contact information for each witness should also be included. Applications consisting only of applicant's opinions and allegations, without independent supporting evidence, will not be sufficient to overcome the presumption of regularity.**

14.B.3.f. Time Restrictions

PRRB applications must be received at Coast Guard Headquarters within 1 year of the date on which the contested information was entered or should have been entered into the official record. Applications which exceed these time restrictions will not be considered by the PRRB and may be submitted directly to the Board for Correction of Military Records of the Coast Guard (CGBCMR) in accordance with 33 CFR part 52.

14.B.3.g. Submission Of An Application

Applications shall be submitted using DD Form 149. Completion of the form is self-explanatory. If the space provided on the form is insufficient, the item number and information should be placed on a separate piece of paper attached to the form and that item of the DD Form 149 should be marked "See Attachment." In addition to the instructions contained in DD Form 149:

- 1. In item 8 or on attached sheet, identify specifically the alleged erroneous document or omission in the record. State in detail the correction desired and other relief sought, if any.**
- 2. In item 9 or on attached sheets, explain fully and clearly why the record should be corrected.**
- 3. In item 10 or on attached sheets, list the documents or sworn statements from individuals that are attached to support the alleged error. Attached documents or sworn statements should be originals or certified true copies.**
- 4. The application may be submitted directly to Commandant (G-WP) without going through the chain of command. However, applicant should consider soliciting command input, which often supports the applicant's allegation of error. Command input should be included as an enclosure when applicable.**
- 5. Forward the completed application with all enclosures (original and five copies of entire package) directly to:**

**Commandant (G-WP)
Attn: Personnel Records Review Board
U. S. Coast Guard
2100 2nd Street, SW
Washington, DC 20593-0001**

Applicants desiring acknowledgement of application receipt must include along with their application an Acknowledgement/Referral Card (CG-4217) with the postcard self-addressed and the “FROM” and “REFERENCE YOUR COMMUNICATION” blocks completed.

- 6. Applications may be considered complete when received. Incomplete applications or those that lack support may be rejected. Therefore, do not submit an application without all necessary support documents.**
- 7. After submitting the application, applicants shall notify the PRRB of any change in mailing address.**
- 8. Applicants desiring to have a record corrected prior to the date of a selection or promotion board should clearly state that desire on their application and should ensure that the application is submitted well in advance of the scheduled convening date of the particular board. The PRRB will make every reasonable effort to act prior to the board’s convening date.**

14.B.3.h. Initial Disposition

The Coast Guard Personnel Command or program manager responsible for the contested record will screen the application and take appropriate action within its authority.

14.B.3.i. Disposition By The Board

- 1. The PRRB will review and independently evaluate each case properly referred to it. The president of the PRRB may seek assistance or information pertinent to cases before the PRRB from other Coast Guard personnel.**
- 2. Where the PRRB cannot take action on the application the president may either return the application to the applicant or forward it to the BCMR.**
- 3. Findings, conclusions, and recommendations of the PRRB in each case will be set out in a case summary.**


14.B.3.j. Final Disposition

- 1. In most cases, the Director of Personnel Management will take final action on recommendations of the PRRB involving active duty members and the Director of Reserve and Training will take final action on records concerning**

reservists on inactive duty, active duty special work – RC, and active duty special work – AC.

2. The final action authority will approve, disapprove, or modify the recommendation of the PRRB. Actions that disapprove or modify the recommendations of the PRRB will include reason(s) for doing so.
3. The Executive Secretary will distribute the report of the board and final action as follows:
 - a. Executive Secretary – PRRB master file.
 - b. Board for Correction of Military Records (DOT C-60).
 - c. Commandant (G-LMJ) – Office of Military Justice.
 - d. Coast Guard Personnel Command (CGPC – adm-3) – Records Branch.
 - e. Coast Guard Personnel Command (CGPC-opm-1) – Boards, Promotions, and Separations Branch (Cases involving active duty officers).
 - f. Coast Guard Personnel Command (CGPC-opm-3) – Officer Evaluations Branch (Cases involving OERs of active duty officers).
 - g. Coast Guard Personnel Command (CGPC-epm-1) – Advancements and Separations Branch (Cases involving active duty enlisted).
 - h. Coast Guard Personnel Command (CGPC-rpm) Reserve Personnel Management Division (Cases involving inactive duty reservists).
4. Applications denied or partially denied may be forwarded to the BCMR or returned to the applicant.
5. The PRRB will reconsider applications only upon the presentation of additional material evidence that was not reasonably available when the original application was submitted.

14.B.4. Privacy Act

The Privacy Act (5 U.S.C. 552a) provides another method for seeking correction of personnel records. However, its scope normally is limited to routine administrative corrections, not those involving discretionary or judgmental decisions. The  Coast Guard Freedom of Information **and Privacy Acts** Manual, COMDTINST M5260.3 (series), describes the procedure for seeking records correction under the Privacy Act.

14.B.5. UCMJ Article 138

Congress established UCMJ Article 138 as a means for a military member to seek redress of alleged "wrongs" committed by the member's commanding officer. A "wrong" can include an allegedly improper personnel record entry. As implemented by the Coast Guard in the Military Justice Manual (MJM), a member's "Commanding Officer" includes "[a]ny Coast Guard commanding officer empowered to impose non-judicial punishment upon the complainant, which includes any superior commanding officer in the chain of command." The MJM describes the procedures for seeking redress from one's commanding officer under Article 138, UCMJ, and if redress is denied, for filing a "complaint" with the officer exercising general court-martial jurisdiction over the member's commanding officer.

14.B.6. Coast Guard Discharge Review Board**14.B.6.a. Title 10, United States Code**

10 U.S.C. 1553 provides the Secretary with the authority to establish a board to review discharges or dismissals from the Service. Part 51 of Title 33, Code of Federal Regulations (CFR), established the Coast Guard Discharge Review Board (DRB) and sets forth the procedure for seeking review after a member has been separated from the Coast Guard.


14.B.6.b. 33 Code of Federal Regulations

33 CFR 51.3 provides "[a] former member may apply to the DRB for a change in the character of, and/or the reason for, the discharge. The Coast Guard DRB review is generally applicable only to administrative discharges, however, the DRB may review the discharge of a former member by sentence of a court-martial for the purpose of clemency."

14.B.6.c. Definition of Discharge

33 CFR 51.4(c) provides that the definition of a "discharge" is "[a]ny formal separation of a member from the Coast Guard which is not termed 'honorable,' including dismissals and 'dropping from the rolls.' This term also includes the assignment of a separation program designator, separation authority, the stated reason for discharge, and the characterization of service."

14.B.6.d. Limitations

An application for review of a discharge must be received by the DRB within 15 years of the date the former member was separated from the Coast Guard.  Article 12.B.53.h. contains additional information about applying to the DRB.

14.B.7. Board for Correction of Military Records**14.B.7.a. General**

10 U.S.C. 1552 provides the Secretary with the authority to establish a board to "correct any military record...when...necessary to correct an error or remove an

injustice." 33 CFR 52 establishes the Department of Transportation Board for Correction of Military Records (BCMR) and sets forth the procedure for applying to the BCMR for correction of a military record of the Coast Guard. The normal filing limit for applications to the BCMR is three years from the date of discovery of the alleged error or injustice.

14.B.7.b. Purpose

The Board reviews the application for relief together with pertinent military records to determine whether an error has been made in the Coast Guard records, or whether, under normal standards of military law, administration and practice, the applicant has suffered a wrong as the result of an error of omission or commission in the records or through some manifest injustice in the treatment accorded him or her.

14.B.7.c. Application

Requests for corrections of records must be made on a Application for Correction of Military Record, DD Form 149. Forms and explanatory matter may be obtained from the Chairman, Office of General Counsel, Board for Correction of Military Records (C-60), Department of Transportation, Washington, DC 20590-0001.